## IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:04CR117-11

| UNITED STATES OF AMERICA,    | )        |       |
|------------------------------|----------|-------|
| Vs.                          | )        | ORDER |
| PATRICK ALEXANDER LIPSCOMBE. | )        | -     |
| Defendant.                   | j        |       |
| Defendant.                   | <i>)</i> |       |

THIS CAUSE coming on to be heard and being heard before the undersigned, Dennis L. Howell, United States Magistrate Judge for the Western District of North Carolina, pursuant to an order entered by the undersigned on September 12, 2005 setting for hearing allegations contained in a violation report filed September 2, 2005 that alleged that the defendant had violated terms and conditions of his pretrial release and it appearing to the court that the undersigned established terms and conditions of pretrial release for the defendant which required that the defendant participate in treatment at a drug treatment facility located at a drug treatment center known as Fellowship Drug Treatment located in Greensboro, North Carolina. The order of release was entered on September 13, 2005. The defendant has now moved the court to continue the hearing of the violation contained in the violation report filed September 2, 2005 due to the fact that the defendant is involved in treatment. The United States Attorney had no objection to the granting of the defendant's motion.

IT IS THEREFORE **ORDERED** that the hearing of the allegations of violations of terms and conditions of pretrial release as alleged in a violation report filed on September 2, 2005 is hereby continued until the defendant has completed his program of treatment at the Fellowship Drug Treatment Center in Greensboro, North Carolina. The defendant has been ordered to appear in court

the day after completing the program of treatment for further hearing of the issues as to whether or not the defendant should be released on terms and conditions of pretrial release.

Signed: September 26, 2005

Dennis L. Howell

United States Magistrate Judge